

MINUTES
VILLAGE OF LAKE PARK COUNCIL MEETING
3801 LAKE PARK ROAD, LAKE PARK, NC
REGULAR SESSION – 7:00 P.M.
NOVEMBER 11, 2008

ATTENDING: Mayor Kendall Spence
Mayor Pro-Tem: Sandy Coughlin
Council Members: Greg Crosby, Virginia Currence,
Jo Waybright, Clint Newton
Finance Officer – Cheryl Bennett
Village Clerk/Tax Collector – Cheri Clark
Attorney Ken Swain

CALL TO ORDER: Mayor Kendall Spence called the Regular Session of the Village of Lake Park Council to order.

PLEDGE OF ALLEGIANCE: Mayor Kendall Spence led the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF MINUTES: Sandy Coughlin made the motion to approve the October 14, 2008 Union County Flood Prevention Ordinance & Flood Plain Maps Public Hearing minutes. Greg Crosby seconded the motion. Vote – Unanimous. Virginia Currence made the motion to accept the Regular Session minutes. Greg Crosby seconded the motion. Under discussion, on Page 6 last sentence the word as needs to be changed to has. Sandy Coughlin made the motion to accept the minutes as amended. Greg Crosby seconded the motion. Vote – Unanimous.

PUBLIC COMMENT:

Henry Counts expressed his frustration with the lack of enforcement of the ordinances in the VOLP and in particular with the parking ordinance. In the last two weeks, his garage door has been vandalized twice. Because Mr. Counts calls and reports violations that he sees, he is being victimized.

Kevin Pimentel lives on Mayhurst and expressed his concerns about the parking on Mayhurst. If you park on the grass, the HOA sends you a violation letter, if you park in the driveway, the vehicles hang over the sidewalk and if you park on the street the road is not wide enough for emergency vehicles.

CHANGES TO THE AGENDA: Virginia Currence made the motion to accept the agenda as presented. Clint Newton seconded the motion. Vote – Unanimous.

SECURITY: Deputy Haywood reported that there were 154 calls for service in the VOLP during the month of October. According to the Park Ordinance, the parks close at dark but the sign at the tennis and basketball court gives the impression that only the courts close at dark. The VOLP may want to post signs stating the parks are closed dusk to dawn. With the

new call system, using the non-emergency number of 704-289-1591 allows the calls to be logged into the system and the opportunity to provide more information concerning the nature of the call.

Virginia Currence would like to see the VOLP develop and adopt a panhandling ordinance in the VOLP. Deputy Haywood and Deputy Tomberlin supported the idea and even suggested working to establish a type of Community Watch in which people are aware of things going on in the Village and would report incidents to the Sheriff's office. Sandy Coughlin requested that the deputies provide some tips on what types of activities to be aware of in a community watch type environment and then have them posted in the Villager.

Mayor Kendall Spence rode with the deputies for the third year in a row on Halloween night. There were several additional officers in the village along with Captain Easley. Ryan Homes has contracted with a private security firm while the townhome buildings are under construction.

Ken Swain has sent return receipt letters to Cypress Homes concerning the two abandoned homes under construction on Lake Park Drive and Creft Circle. To date the return receipts have not been received.

FINANCE OFFICER'S MONTHLY REPORT: Cheryl Bennett expressed concern over two accounts in the VOLP budget – Sales and Use Tax revenue account and the Attorney Fees expense account. The Sales and Use Tax revenue account is down due the economic slowdown and could result in a \$30,000 shortfall for the year. The Attorney's Fees are up due to all of the additional time spent on the Stormwater Ordinance and FEMA flood maps.

Copies of the 2007-2008 audit report were distributed to Council. The VOLP ended the 2007-08 budget with a \$69,530 surplus which goes into the fund balance line item.

October 2008 Budget Report

	<u>Oct 08</u>	<u>Jul - Oct 08</u>	<u>% of Budget</u>	<u>Annual Budget</u>
General Fund				
Revenues				
Other revenues				
Payment Kirby park sidewalk	0.00	16,314.95	362.55%	4,500.00
Approp. Fund Balance	0.00	0.00	0.0%	52,122.00
National Night Out	0.00	320.00	6.54%	4,890.00
Civil Penalties	0.00	0.00	0.0%	200.00
Investment revenue	279.06	6,208.50	29.56%	21,000.00
Miscellaneous	0.00	1,129.00	188.17%	600.00
Total Other revenues	279.06	23,972.45	28.77%	83,312.00
 Other Taxes				

Cable franchise-from Time Warner	760.00	760.00	27.14%	2,800.00
Total Other Taxes	760.00	760.00	27.14%	2,800.00
Parks & Recreation Revenue				
Recreation Program Fees	2.00	858.70	429.35%	200.00
Community Center rental	240.00	1,080.00	38.57%	2,800.00
Gazebo rental	0.00	30.00	7.5%	400.00
Recreation concession sales	0.00	0.00	0.0%	800.00
Recreation daily swim fees	0.00	3,571.84	57.61%	6,200.00
Recreation season pass fees	0.00	2,027.00	4.05%	50,000.00
Total Parks & Recreation Revenue	242.00	7,567.54	12.53%	60,400.00
Property Taxes				
Ad valorem current year	83,968.69	99,560.06	20.84%	477,784.00
Ad valorem prior years	436.20	3,504.17	83.43%	4,200.00
Late fees (ad)	20.00	74.19	80.64%	92.00
Motor vehicle tax	4,145.08	14,525.91	28.48%	51,010.00
Penalties and interest	132.23	503.46	40.28%	1,250.00
Utility ad valorem	0.00	0.00	0.0%	7,000.00
Total Property Taxes	88,702.20	118,167.79	21.83%	541,336.00
State Shared Revenues				
Telecom. Franchise	0.00	-118.00		
Piped Gas	0.00	-191.00		
Elec. franchise tax	0.00	-1,567.52		
Cable Rev. (from State)	0.00	346.91	1.93%	18,000.00
Sales and use tax	13,551.47	15,305.17	8.06%	190,000.00
Utility franchise	0.00	0.00	0.0%	72,000.00
Total State Shared Revenues	13,551.47	13,775.56	4.92%	280,000.00
Total Revenues	103,534.73	164,243.34	16.97%	967,848.00
Expense				
Capital Outlay				
Community Center Addition	0.00	0.00	0.0%	4,500.00
Capital Outlay Exp.	0.00	1,100.00	11.0%	10,000.00
Reserve for Capital Replacement	0.00	0.00	0.0%	10,000.00
Total Capital Outlay	0.00	1,100.00	4.49%	24,500.00
General Administrative Expenses				
Adm Assistant	0.00	144.00	24.0%	600.00
Clerk/Tax Collector	3,565.42	14,261.68	33.33%	42,785.00

Council	0.00	2,500.00	22.73%	11,000.00
Finance Officer	855.83	3,423.32	33.33%	10,270.00
Mayor	0.00	650.00	21.67%	3,000.00
Payroll Expenses	<u>338.22</u>	<u>1,604.86</u>	<u>29.72%</u>	<u>5,400.00</u>
Total General Administrative Expenses	4,759.47	22,583.86	30.91%	73,055.00
Maintenance of Common Areas				
Landscaping	11,424.00	43,824.00	26.56%	165,000.00
Park maintenance	2,312.00	11,481.93	34.27%	33,500.00
Pond maintenance	<u>40.00</u>	<u>40.00</u>	<u>0.4%</u>	<u>10,000.00</u>
Total Maintenance of Common Areas	13,776.00	55,345.93	26.55%	208,500.00
Operating Costs				
Advertising	0.00	0.00	0.0%	400.00
Association dues	0.00	2,880.00	100.0%	2,880.00
Bank charges	0.00	0.00	0.0%	20.00
Elections	0.00	0.00	0.0%	800.00
Insurance/bonds	0.00	8,683.08	88.6%	9,800.00
Miscellaneous oper. exp.	75.00	80.96	8.1%	1,000.00
Newsletter/website/flyers	271.25	610.20	22.6%	2,700.00
Office	782.29	1,003.39	14.13%	7,100.00
Postage	60.81	155.43	51.81%	300.00
Tax collection	31.54	447.65	49.74%	900.00
Telephone	247.37	982.75	33.89%	2,900.00
Training	0.00	0.00	0.0%	800.00
Travel	<u>0.00</u>	<u>0.00</u>	<u>0.0%</u>	<u>500.00</u>
Total Operating Costs	1,468.26	14,843.46	49.31%	30,100.00
Other Expenditures				
Economic Development	0.00	650.00	26.0%	2,500.00
Contingency	0.00	0.00	0.0%	20,000.00
Stormwater Fee	<u>200.00</u>	<u>200.00</u>	<u>1.67%</u>	<u>12,000.00</u>
Total Other Expenditures	200.00	850.00	2.46%	34,500.00
Parks & Recreation				
Pool Operations	0.00	94.99	9.5%	1,000.00
Comm. center maintenance	580.29	2,640.49	29.34%	9,000.00
Seasonal Decorations	3,607.28	3,607.28	30.06%	12,000.00
Natural Gas	39.92	162.16	13.51%	1,200.00
Pool maintenance	1,159.80	5,511.99	58.02%	9,500.00
Pool management fee	0.00	14,390.50	30.7%	46,880.00
Events/Recreation programs	0.00	1,648.89	71.69%	2,300.00
Storage Rental	0.00	1,193.40	107.22%	1,113.00

Water/Sewer	<u>172.07</u>	<u>1,041.21</u>	<u>34.71%</u>	<u>3,000.00</u>
Total Parks & Recreation	5,559.36	30,290.91	35.23%	85,993.00
Professional Fees				
Engineering Fees	0.00	0.00	0.0%	2,500.00
Accountant	0.00	0.00	0.0%	4,200.00
Legal Counsel	<u>4,658.15</u>	<u>4,658.15</u>	<u>46.58%</u>	<u>10,000.00</u>
Total Professional Fees	4,658.15	4,658.15	27.89%	16,700.00
Public Services/Safety				
Street Signs	60.00	60.00	1.71%	3,500.00
National Night Out	0.00	1,485.88	21.23%	7,000.00
Community Watch	0.00	0.00	0.0%	1,000.00
Garbage collection	21,042.79	63,128.37	24.56%	257,000.00
Law enforcement	33,179.50	66,359.00	49.89%	133,000.00
Street Lights	<u>8,165.19</u>	<u>32,878.75</u>	<u>35.35%</u>	<u>93,000.00</u>
Total Public Services/Safety	<u>62,447.48</u>	<u>163,912.00</u>	<u>33.15%</u>	<u>494,500.00</u>
Total Expense	<u>92,868.72</u>	<u>293,584.31</u>	<u>30.33%</u>	<u>967,848.00</u>
Net General Fund	10,666.01	129,340.97	100.0%	0.00
Powell Bill				
Powell Bill Income				
Interest - Powell Funds	0.00	215.39		
Powell Bill Revenue	<u>96,089.45</u>	<u>96,089.45</u>		
Total	96,089.45	96,304.84		
Powell Bill Expenditures				
Street Exp. - Powell Bill	<u>60.00</u>	<u>93,092.97</u>		
Total	<u>60.00</u>	<u>93,092.97</u>		
Net Powell Bill	<u>96,029.45</u>	<u>3,211.87</u>		
Net excess of Rev. over Exp.	<u>106,695.46</u>	<u>126,129.10</u>	<u>100.0%</u>	<u>0.00</u>

TAX OFFICER'S REPORT: Twenty one percent of the 2008 tax levy has been collected as of October 31st. Cheri Clark requested a refund of \$53.82 due to a release. Sandy Coughlin made the motion to refund \$53.82. Clint Newton seconded the motion. Vote – Unanimous.

The Municipal Council Meeting Schedule and Village of Lake Park 2009 Holiday Schedule were presented for review. Greg Crosby made the motion to adopt the meeting schedule and holiday schedule. Virginia Currence seconded the motion. Vote – Unanimous.

VILLAGE OF LAKE PARK

2009 MUNICIPAL COUNCIL

MEETING SCHEDULE

3801 LAKE PARK ROAD
LAKE PARK, NC

7:00 P.M.

January 13, 2009 – 7:00 PM

February 10, 2009- 7:00 PM

March 10, 2009 – 7:00 PM

April 14, 2009 – 7:00 PM

May 12, 2009 – 7:00 PM

June 9, 2009 – 7:00 PM

July 14, 2009 – 7:00 PM

August 11, 2009 – 7:00 PM

September 8, 2009 – 7:00 PM

October 13, 2009 – 7:00 PM

November 10, 2009 – 7:00 PM

December 8, 2009 – 7:00 PM

Village of Lake Park

2009 Holidays

New Years Day	Thursday, January 1, 2009
Martin Luther King's Birthday	Monday, January 19, 2009
Good Friday (Easter)	Friday, April 10, 2009
Memorial Day	Monday, May 25, 2009
Independence Day	Friday, July 3, 2009
Labor Day	Monday, September 7, 2009
Veterans Day	Wednesday, November 11, 2009
Thanksgiving (2days)	Thursday, November 26, 2009 Friday, November 27, 2009
Christmas (2days)	Thursday, December 24 2009 Friday, December 25, 2009

PUBLIC SERVICES (Waste Collection & Electric): Sandy Coughlin stated that Waste Collection is under budget for the year and that billing for the Vintage Condominiums recycling for September and October were on the October invoice. The request was made for the Villager to include an article concerning the proper storage of trash carts after collection.

Clint Newton reported that electrical usage has gone down but costs are rising due to increases in the cost of power and the seasonal Christmas lighting..

COMMUNICATION: Greg Crosby asked that all articles for the next Villager be submitted by November 14th. Greg is going to look at a new software version that runs behind the scenes for the website. At this point he is not sure of the upgrade path and cost involved.

PARK AND RECREATION: The Christmas tree lighting will be held on December 7th at 6 p.m. Faith United Methodist Church will lead the town in traditional Christmas carols starting at 5:45. The Hometown Heroes will flip the switch on the Christmas tree. The Garden Club's Home Tour will be held from 2 to 5 with all proceeds being spent in the VOLP. The HOA will have carriage rides after the Christmas tree lighting.

The Chili Cook-off was successful with seven competitors.

First Prize – Ted Wasylak,

Second – Doyle Waybright

Third – Tom Linderman.

Jo Waybright thanked all of the participants and Margaret Phillips for her assistance that evening.

Virginia Currence shared that the restoration of the western rim of Alden Pond has been completed, new pine needles have been installed throughout the Village and the pansies have been planted in all the beds. One of the fountain motors at the clock tower has been replaced and the other one will be replaced along with a new impeller. The four repaired park benches will be placed back in the VOLP in the following common areas: Founder's Park, Veterans Pond Park and one to be determined.

The Common Area Planning Task Force plans to meet November 20th to discuss all of the data that has been collected. Several speakers will be invited during the month of December to provide valuable information to the task force. During the month of January, the task force will be developing and writing the report and in February the report will be delivered to Council for review and discussion prior to Budget Workshop.

The Athletic Director, Dale Similton, at Central Academy at Lake Park has requested the use of the VOLP tennis courts four afternoons a week this spring from 3:15 – 6:30. Based on the request and previous public comment concerning the courts, Parks and Rec would like to conduct a brief survey in the Villager. Greg Crosby and Clint Newton would like to see Parks and Rec establish a policy concerning the use of the courts.

Mayor Kendall Spence discussed the Community Center expansion project and the desire to have information for the Budget Workshop concerning the expansion. Jo Waybright made

the motion to contact Roger Layman Architecture to do a conceptual design study for the Community Center. Clint Newton seconded the motion. Vote – Unanimous.

STORMWATER: Mayor Kendall Spence has been in contact with M.J. Namin concerning the Stormwater Administrator for the VOLP. At this point it is Mayor Spence's recommendation that the VOLP contract M.J. Namin as our Stormwater Administrator on a hourly basis to keep the VOLP compliant with our stormwater permit. Sandy Coughlin asked Cheri Clark to provide Council members with copies of Mr. Namin's resume.

STREET BUSINESS: Banner Signs has proposed \$1, 470 in street sign maintenance in the VOLP. The work will include the following maintenance:

- Creft & Faith Church
- Creft & Meeting Street
- Conifer & Frederick
- Conifer & Saint Joseph
- Conifer & Lake Charles
- Conifer & Mother Teresa

Sandy Coughlin made the motion to accept the Banner Signs proposal. Clint Newton seconded the motion. Vote – Unanimous.

After the public comments and e-mails concerning the Parking Ordinance, Council decided to amend the current Parking Ordinance.

ORDINANCE TO AMEND PARKING ORDINANCES OF THE VILLAGE OF LAKE PARK, NORTH CAROLINA

BE IT ORDAINED by the Village Council of the Village of Lake Park, North Carolina that Article I, Section 1-4 of the Village of Lake Park, North Carolina Parking Ordinances be amended and read as follows:

In any area within the corporate limits of the Village of Lake Park where parking spaces are not marked on the pavement, are not designated as "no parking" zones and are not otherwise restricted by this Article from the parking of a vehicle, all vehicles shall be parked, stopped or standing parallel to the curb or the edge of the pavement and as far right of the centerline as possible, leaving at least 12 feet of clear unobstructed roadway for the safe passage of other vehicles. At no time may a vehicle be directly across the street from another vehicle unless there will be 12 feet of open roadway between the two vehicles.

ADOPTED THIS THE 11TH DAY OF NOVEMBER, 2008.

Honorable Kendall Spence, Mayor

Attest:

Village Clerk

ECONOMIC DEVELOPMENT: Sandy Coughlin made the motion to add Sharon Williams to the Economic Development Commission. Greg Crosby seconded the motion. Vote – Unanimous. Sandy Coughlin acknowledged Tom Linderman for all of his service to the Economic Development Commission board in the last year.

Economic Development Commission

Village of Lake Park Council & Lake Park Business Leaders

2009 Commission Meeting Schedule

January 22

February 26

March 26

April 23

May 28

June 25

July 23

August 20

September 24

October 22

November 19

January 28 (2010)

Lake Park business, church and school representatives are welcome to attend any commission meeting. EDC sponsored events, meeting updates and locations are posted in the *Lake Park*

Villager. Commissioners host the monthly meetings at their place of business on a rotating basis. Time: 7:00 pm – 8:30 pm.

Commissioners:	Doug Lucas	Term expires 8-9-10
	Sharon Williams	Term expires 11-7-11
	Charles Williams	Term expires 12-8-9
Council Liaisons:	Sandy Coughlin	Council Term expires 12-9-9
	Kendall Spence	Mayor Term expires 12-9-9

New commissioners serve a 3-year term and are appointed by Village Council. Dates are
Volunteers for future openings are invited to contact the Village Office: 704-882-VOLP.
Typical candidates are owners, managers or administrators of local Lake Park businesses, churches or schools.

SET AGENDA FOR JANUARY 13, 2009: No Changes.

COUNCIL COMMENTS:

Virginia Currence wished everyone a Happy Thanksgiving.
Jo Waybright requested that everyone remember the Veterans.
Clint Newton also thanked the Veterans.
Sandy Coughlin thanked Clint Newton for devising a way to graph and track the VOLP electrical usage.
Kendall Spence attended the Mayor/Commissioner's meeting and the topics of discussion were a leash law, public nuisance and an animal control ordinance. Forty percent of all calls to the Sheriff's Department are animal related.

CHANGES TO THE PARKING ORDINANCE: Greg Crosby made the motion to amend the Parking Ordinances of the Village of Lake Park. Sandy Coughlin seconded the motion.
Vote – Unanimous.

ADJOURN: Virginia Currence made a motion to adjourn the meeting. Clint Newton seconded the motion. Vote – Unanimous.

Respectfully submitted,

Mayor Kendall Spence

Village Clerk, Cheri Clark